

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

UNITED STATES OF AMERICA,)	
)	
)	
v.)	Case No. 4:07-CR-00062-IPJ-TMP
)	
)	
GORDON ELTON HAYES)	

GOVERNMENT'S RESPONSE TO DEFENDANT'S REQUEST
FOR DISCLOSURE

COMES NOW the United States of America, by and through its counsel, Alice H. Martin, United States Attorney for the Northern District of Alabama, and E. Vincent Carroll, Assistant United States Attorney, and responds to Defendant's Request for Disclosure (See Doc # 4) as follows in paragraphs lettered to correspond to those of said request:

A). Defense counsel has previously been furnished with a copy of the defendant's statements he gave to investigators in this case, and such documents and audio recordings have been made available for inspection and review by defense counsel.

B). Defendant has no significant prior criminal history.

C). Defense counsel has previously been provided with copies of certain documents, and has been given an opportunity to inspect and/or copy all documents and other evidence, including the images of child pornography, and such documents and evidence are available for inspection by prior appointment at the FBI Office in Birmingham.

D). The results of the computer forensics exam have been made available, and are available, for review and inspection by defense counsel by prior appointment at the FBI Office in Birmingham.

E). The government does not intent to call any expert witnesses in this case. Should the government decide to do so, the provisions of Rule 705, Federal Rules of Evidence, will be complied with.

F). Undersigned counsel for the government is unaware of exculpatory or otherwise favorable material.

G). Title 18, United States Code, Section 3500 will be complied with upon timely and specific requests after the government witness has testified on direct examination in the trial of the case.

RECIPROCAL DISCOVERY REQUEST

The United States requests that the defendant provide the following:

1. Books, papers, documents, tangible objects, or copies or portions thereof,

which are in the possession, custody or control of the defendant and which the defendant intends to introduce as evidence in chief at trial, in accordance with Rule 16(b)(1)(A), Fed.R.Crim.P.

2. Any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with this case, or copies thereof, within the possession or control of the defendant, which the defendant intends to introduce as evidence in chief at trial or which were prepared by a witness the defendant intends to call at trial when the results or reports relate to his testimony, in accordance with Rule 16(b)(1)(B), Fed.R.Crim.P.

Respectfully submitted this the 3rd day of April, 2007.

ALICE H. MARTIN
United States Attorney

/s/
E. VINCENT CARROLL
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on this day, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the defendant's counsel of record:

Ms. Theresa Terrebonne, Esq.
8778 Helena Road
Helena, AL 35124

/s/
E. VINCENT CARROLL
Assistant United States Attorney